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Filing date: **03/18/2008**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91181548
Party	Defendant THOMPSON, RANDALL L.
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Submission	Other Motions/Papers
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Signature	/Randall Thompson/
Date	03/18/2008
Attachments	AppleSett.Agmt.PDF (2 pages)(62283 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Application Serial No. 77/061,908

For the mark: APPLESHIRE

Filed: December 11, 2006

Published: July 3, 2007

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APPLE INC., :
: Opposition No.: 91,181,548
Opposer, :
:
v. :
:
RANDALL L. THOMPSON, :
Applicant. :
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POST PUBLICATION AMENDMENT

OF APPLICATION AND CONDITIONAL

STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Applicant Randall L. Thompson hereby amends Application Serial No. 77/061,908 to limit the specification of services as follows:

Class 41: Entertainment in the nature of visual and audio performances, namely by the musical band Appleshire featuring Randall Thompson; entertainment namely, live performances by the musical band Appleshire featuring Randall Thompson; entertainment services, namely, providing a web site featuring musical performances and music videos by the musical band Appleshire featuring Randall Thompson; production of sound and music video recordings by the musical band Appleshire featuring Randall Thompson.

The amended identification of services is more restrictive and narrower than, and is clearly encompassed by, the original identification of services recited in the application. Any party who might be damaged by the registration of applicant's mark as applied to the amended, more restrictive and narrower identification of services would have made that belief known as a result of the original publication of applicant's mark which encompassed a broader identification of services. Pursuant to Section 1505.01(a) of the Trademark Manual of Examining Procedures,

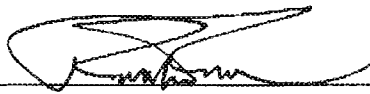
this amendment may be entered since it merely deletes or limits the items from the identification of goods and services and, as such, does not require either an additional search or the republication of the mark. In accordance with Rule 2.133 of the Trademark Rules of Practice, 37 C.F.R. § 2.133, applicant has obtained Opposer's consent to the amendment.

Upon approval and entry of this amendment by the Board, the parties stipulate that the opposition and the claims and defenses asserted therein shall be dismissed without prejudice.

Dated: Walnut Creek, California

March 17, 2008

By: _____

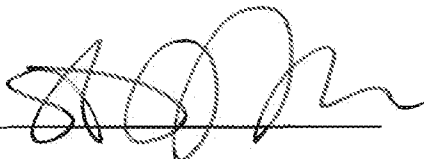


Randall L. Thompson

Consented To:

KILPATRICK STOCKTON LLP

By: _____



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